

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

BRENT SMITH

Plaintiff

v.

ALLSTATE VEHICLE & PROPERTY
INSURANCE COMPANY

Defendant

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CIVIL ACTION NO. 4:16-cv-02771

PLAINTIFF BRENT SMITH'S RULE 26 DISCLOSURES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Brent Smith, Plaintiff in the above enumerated and entitled civil action and files this, his Initial Disclosures, as required by Federal Rule of Civil Procedure 26(a)(1). In support thereof, Plaintiff would like to respectfully show unto this Honorable Court as follows:

A. INDIVIDUALS WITH RELEVANT KNOWLEDGE

1. The names, addresses and telephone numbers (if known) of individuals likely to have relevant knowledge of facts and circumstances in the matter are as follows:

Brent Smith
c/o McClenny Moseley & Associates, PLLC
James M. McClenny
Texas Bar No. 24091857
Federal ID No. 2764142
J. Zachary Moseley
Texas Bar No. 24092863
Federal ID No. 2706476
Derek L. Fadner
State Bar No. 24100081
James@mma-pll.com
Zach@mma-pll.com
Derek@mma-pll.com

Allstate Vehicle & Property Insurance Company
c/o Thompson Coe Cousins & Irons LLP
Vanessa Annette Rosa
Texas Bar No. 24081769
700 N Pearl St
25th Floor
Dallas, TX 75201
Office No. 214-871-8200
Facsimile: 214-871-8209
vrosa@thompsoncoe.com

James P. McClenny
c/o Sovereign Adjusting Services, LLC
P.O. Box 29
Moulton, Texas 77975
Tel: 832-556-9273
sovereignadjustingservices@gmail.com
Prepared Estimate for Plaintiff

Jessica Kromm
P.O. Box 672041
Dallas, TX 75267
Tel: 800-724-6427 Ext. 6678048
Fax: 877-307-6061
Claims Representative for Defendant

Plaintiff reserves the right to amend and or/supplement the above pursuant to the Federal Rules of Civil Procedure, Court Order, or agreement among the parties.

B. RELEVANT DOCUMENTS & TANGIBLE THINGS

2. Copies of all documents, data compilations and tangible things in Plaintiff's possession, custody or control that are relevant to this case:

Defendant has previously been provided copies of all documents, data compilations and tangible things which are currently in Plaintiff's possession, custody or control and that are relevant to this case. Plaintiff has provided exhibits of the same hereto for the Court's and Defendant's convenience.

Exhibit "A"	Plaintiff's Sovereign Adjusting Services Expert Estimate
Exhibit "B"	Corresponding Expert's Curriculum Vitae

Plaintiff reserves the right to amend and or/supplement the above pursuant to the Federal Rules of Civil Procedure, Court Order, or agreement among the parties.

C. INFORMATION RELATED TO CALCULATION OF DAMAGES

3. Plaintiff's damage calculation presently includes the following:
- a. The reasonable and necessary costs of repairing Plaintiff's roof damage, which Plaintiff contends is covered under his Allstate Vehicle & Property Insurance Company Homeowner's Policy.**
 - b. An amount up to \$20,000.00 as reasonable and necessary attorney's fees incurred by Plaintiffs in this matter. Please note that this amount will certainly increase as this matter proceeds towards trial; and,**
 - c. Because Defendant acted knowingly and intentionally, Plaintiff is entitled to recover treble damages under the Texas Deceptive Trade Practices Act. This amount is greater than or equal to three times the above listed amounts.**

In addition, Defendants are liable for additional punitive damages, as those terms are understood by law.

Plaintiff reserves the right to amend and or/supplement the above pursuant to the Federal Rules of Civil Procedure, Court Order, or agreement among the parties.

RESPECTFULLY SUBMITTED,

/s/ J. Zachary Moseley

McCLENNY MOSELEY & ASSOCIATES, PLLC

James M. McClenny

Texas Bar No. 24091857

Federal ID No. 2764142

J. Zachary Moseley

Texas Bar No. 24092863

Federal ID No. 2706476

James@mma-llc.com

Zach@mma-llc.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2016 a true and correct copy of the foregoing was served on all counsel of record, via the Court's electronic filing system or as indicated below, pursuant to Federal Rules of Civil Procedure 5(b), as follows:

Allstate Vehicle & Property Insurance Company
c/o Thompson Coe Cousins & Irons LLP
Vanessa Annette Rosa
Texas Bar No. 24081769
700 N Pearl St
25th Floor
Dallas, TX 75201
Office No. 214-871-8200
Facsimile: 214-871-8209
vrosa@thompsoncoe.com

/s/ J. Zachary Moseley
J. Zachary Moseley